

109TH CONGRESS
2D SESSION

H. R. 6200

To amend the Help America Vote Act of 2002 to require States to conduct Presidential elections using paper ballots and to count those ballots by hand, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2006

Mr. KUCINICH (for himself, Ms. CORRINE BROWN of Florida, Mr. CLAY, Mr. CONYERS, Mr. FILNER, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. LEE, Mr. McDERMOTT, Ms. McKINNEY, Mrs. MALONEY, Ms. SOLIS, Ms. WATERS, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Help America Vote Act of 2002 to require States to conduct Presidential elections using paper ballots and to count those ballots by hand, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Paper Ballot Act of
3 2006”.

4 **SEC. 2. REQUIRING USE OF HAND-COUNTED PAPER BAL-**
5 **LOTS IN PRESIDENTIAL ELECTIONS.**

6 Section 301(a) of the Help America Vote Act of 2002
7 (42 U.S.C. 15481(a)) is amended by adding at the end
8 the following new paragraph:

9 “(7) SPECIAL RULES FOR PRESIDENTIAL ELEC-
10 TIONS.—Notwithstanding any other provision of this
11 subsection, in the case of a regularly scheduled gen-
12 eral election for the electors of President and Vice
13 President (beginning with the election in November
14 2008), the following rules shall apply:

15 “(A) The State shall conduct the election
16 using only paper ballots.

17 “(B) The State shall ensure that the num-
18 ber of ballots cast at a precinct or equivalent lo-
19 cation which are placed inside a single box or
20 similar container does not exceed 500.

21 “(C) The ballots cast at a precinct or
22 equivalent location shall be counted by hand by
23 election officials at the precinct, and a rep-
24 resentative of each political party with a can-
25 didate on the ballot, as well as any interested
26 member of the public, may observe the officials

1 as they count the ballots. The previous sentence
2 shall not apply with respect to provisional bal-
3 lots cast under section 302(a).”.

4 **SEC. 3. MOVING OBSERVATION OF WASHINGTON’S BIRTH-**
5 **DAY TO ELECTION DAY DURING PRESI-**
6 **DENTIAL ELECTION YEARS.**

7 Section 6103(a) of title 5, United States Code, is
8 amended—

9 (1) by inserting “the Tuesday next after the
10 first Monday in November in 2008 and every fourth
11 year thereafter, and” after “Washington’s Birth-
12 day,”; and

13 (2) by inserting “in any other year” after “Feb-
14 ruary”.

○